

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

ORDER

Plaintiff,

05-cr-169-bbc

v.

CHRISTOPHER BERRY,

Defendant.

Defendant has moved for modification or clarification of the order revoking his supervised release and directing him to serve a 14-month term of imprisonment with a 3-year term of supervised release to follow.

Defendant would like the sentence changed to permit him to spend the last 180 days of his current term of confinement in the residential re-entry center. The motion will be DENIED. I have included a provision in defendant's term of supervised release that he spend up to the first 180 days in a residential re-entry center. I am not persuaded that an additional 180 day placement in a re-entry center would be beneficial to defendant or to the community.

Of course, the Bureau of Prisons could reach a different decision on the matter of pre-release placement. Such a decision would be within its discretion.

ORDER

IT IS ORDERED that defendant Christopher R. Berry's motion for modification or clarification of the order revoking his supervised release and ordering him to spend 14 months in prison is DENIED.

Entered this 3rd day of June, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge